



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
DOCKET NO. GM50005  
SERIAL NO. 08/790,043

In re application of: Payne, et al.  
Serial No.: 08/790,043  
Filing Date: January 28, 1997  
For: FAB I

Atty Docket No.: GM50005  
Art Unit: 1632  
Examiner: Priebe, S.

Box: AF  
Assistant Commissioner for Patents  
Washington, DC 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 3, 1998.

By: \_\_\_\_\_

Thomas S. Deibert

NOTICE OF APPEAL

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed August 4, 1998 finally rejecting claims 1-3, 7-11, and 25-48 of the above-identified application.

The item(s) checked below are appropriate:

1. **Status Of Applicant**

This application is on behalf of

☒ other than a small entity

☐ small entity

**Verified statement**

☐ attached

☐ already filed on \_\_\_\_\_

2. **Fee For Filing Notice Of Appeal**

Pursuant to 37 C.F.R. § 1.17(e) the fee for filing the Notice of Appeal is:

☐ small entity \$155.00

☒ other than a small entity \$310.00

**Notice of Appeal Fee Due** \$310.00

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### 3. Extension Of Term

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.17(a)-(d) for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee For Other Than Small Entity</u>	<u>Fee For Small Entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 400.00	\$200.00
<input type="checkbox"/>	three months	\$ 950.00	\$475.00
<input type="checkbox"/>	four months	\$1,510.00	\$755.00
<input type="checkbox"/>	five months	\$2,060.00	\$1,030.00

Fee: \$ \_\_\_\_\_

If an additional extension of time is required please consider this a petition therefor.

- ☐ An extension for \_\_\_\_\_ month(s) has/have already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

or

- (b) ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### 4. Total Fee Due

The total fee due is:

Notice of Appeal Fee \$310.00

\_\_\_\_\_-Month Extension Fee (if any) \$ \_\_\_\_\_ minus \$ \_\_\_\_\_ paid on \_\_\_\_\_

**TOTAL FEE DUE \$310.00**

### 5. Fee Payment

- ☐ Attached is a check in the sum of \$ \_\_\_\_\_. A duplicate of this transmittal is attached.
- ☒ Applicant hereby authorizes the Commissioner to charge the fee of \$310.00 under 37 CFR 1.17 for filing a Notice of Appeal to Deposit Account No. 50-0258.

6. **Fee Deficiency**

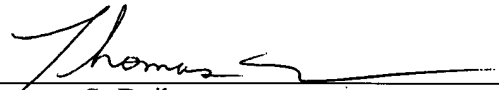
☒ If any additional extension and/or fee is required charge Account No. 50-0258.

**AND/OR**

☐ If any additional fee for claims is required, charge Account No. 50-0258.

Date: November 3, 1998

Respectfully submitted,

  
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for  
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Attorney for Applicant

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